

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BARRY TISBY, JR.,

Plaintiff,

v.

Case No. 14-CV-1335

**SGT. J. SCHROEDER, LT. RAWSON,
and CPT. HAILLSY,**

Defendants.

DECISION AND ORDER

On January 6, 2015, I screened the amended complaint¹ and determined that plaintiff's allegations implicated his rights under the First and Fourteenth Amendments. However, I directed plaintiff to file a second amended complaint by February 5, 2015, with additional detail as to his claims including his race-based allegations and the personal involvement of defendants. To date, plaintiff has not filed a second amended complaint.

IT IS ORDERED that this action will be dismissed without prejudice for lack of prosecution on **April 20, 2015**, pursuant to Civil Local Rule 41(c) (E.D. Wis.) (copy enclosed) and Federal Rule of Civil Procedure 41(b), unless prior to that date plaintiff files a second amended complaint or establishes just cause for his failure to file a second amended complaint.

¹ The amended complaint was filed as a separate case, Tisby v. Rawson, Case No. 14-CV-1448-LA (E.D. Wis.). It presented the same claim as the original complaint and added two defendants. Therefore, I treated the pleading as the amended complaint in this case and dismissed Case No. 14-CV-1448.

Dated at Milwaukee, Wisconsin, this 1st day of April, 2015.

s/ Lynn Adelman

LYNN ADELMAN
District Judge

Civil Local Rule 41(c)
Dismissal for Lack of Diligence

Whenever it appears to the Court that the plaintiff is not diligently prosecuting the action, the Court may enter an order of dismissal with or without prejudice. Any affected party may petition for reinstatement of the action within 21 days.